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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,660	03/28/2001	Atsushi Tomita	032360-011	2513

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EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 08/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/818,660	TOMITA, ATSUSHI	
	Examiner	Art Unit	
	Dohm Chankong	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2, 5/31/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

- 1> Claims 1-16 are presented for examination.

Claim Objections

- 2> Claims 1-10, 12, 13, 15 and 16 are objected to because of the following informalities:

- a. Claim 1 - "...for transmitting the data processor in advance packet data..." - should be rewritten to for transmitting to the data processor in advance, packet data...";
- b. Claims 2-10, 12, 13, 15 and 16 - since they are dependant claims referring back to the system or unit claimed by the independent claims on which they depend, they should be rewritten: "the equipment management...".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 3> The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 4> Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- c. The following claim language is unclear:

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- i. Claims I and II - "...transmitting (to) the data processor in advance..." - no time frame of reference is given and therefore, the use of "in advance" renders the claims unclear (i.e. "in advance" of what?).

Claim Rejections - 35 USC § 103

5> The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6> Claims 1-16 are rejected under 35 U.S.C 103(a) as being unpatentable over Kuroyanagi et al, U.S Patent No. 5,894,416 ["Kuroyanagi"] in view of Moeller et al, U.S Patent No. 6,694,384 ["Moeller"].

7> As to claim 1, Kuroyanagi discloses an equipment management system for managing equipment by an equipment management apparatus for acquiring management information from the equipment and a central management apparatus for centrally managing management information making data communication via a network over which a data processor is connected [abstract | Figure 2 where: copying controller is comparable to an equipment management apparatus], the central management apparatus comprising:

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a transmission controller for transmitting the data processor in advance data containing connection check data addressed to a newly installed equipment management apparatus [Figure 1 <items 999, 908> | column 2 <lines 51-58> | column 3 <lines 32-36> where: the centralized control system (item 999) is equivalent to the claimed central management apparatus and the host computer is equivalent to a transmission controller],

the equipment management apparatus comprising:

a reception controller for acquiring the data containing the connection check data transmitted to the apparatus from the data processor before starting equipment management [Figure 1 <items 800, 900> | Figure 3 <items 800, 900, 805> | column 3 <lines 22-27 and 52-56>].

Kuroyanagi does not disclose that the data is packet data.

8> Moeller teaches an improvement over Kuroyanagi [column 2 <lines 1-12>] whereby he teaches modifying the data sent between apparatuses in a communication system to be packet data [column 2 <lines 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include packet data in Kuroyanagi's equipment management system to allow configuration of equipment via the Internet or other electronic communication means.

9> As to claim 2, Kuroyanagi discloses the equipment management system according to claim 1, wherein data containing the connection check data further comprises destination information on the equipment management apparatus, and the equipment management

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apparatus further comprises a memory for storing the destination information on the central management apparatus [column 3 <lines 22-27, 32-37 and 45-51>].

Kuroyanagi does not disclose that the data is packet data.

10> Moeller teaches an improvement over Kuroyanagi [column 2 <lines 1-12>] whereby he teaches modifying the data sent between apparatuses in a communication system to be packet data [column 2 <lines 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include packet data in Kuroyanagi's equipment management system to allow configuration of equipment via the Internet or other electronic communication means.

11> As to claim 3, Kuroyanagi discloses the equipment management system according to claim 1, wherein data containing the connection check data further comprises initial setting information on the equipment management apparatus, and the equipment management apparatus further comprises an initial setting controller for providing initial settings relevant to the apparatus itself based on the initial setting information [column 12 <lines 21-25 and line 64> to column 13 <line 26>].

Kuroyanagi does not disclose that the data is packet data.

12> Moeller teaches an improvement over Kuroyanagi [column 2 <lines 1-12>] whereby a modification of the data sent between apparatuses in a communication system to be packet data is utilized to increase communication capability of the management system [column 2

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<lines 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include packet data in Kuroyanagi's equipment management system to allow configuration of equipment via the Internet or other electronic communication means.

13> As to claim 4, Kuroyanagi discloses the equipment management system according to claim 1, wherein the equipment management apparatus further comprises a display controller for displaying predetermined information on a display device in response to acquisition of the connection check data by the reception controller [column 13 <lines 28-39>].

14> As to claim 5, Kuroyanagi discloses the equipment management system according to claim 4, wherein the display device is provided at an operating panel of equipment to be managed [column 6 <lines 37-47> | column 13 <lines 28-39>].

15> As to claim 6, Kuroyanagi discloses the equipment management system according to claim 1, wherein the central management apparatus further comprises an operating unit for registering information concerning an equipment management apparatus newly installed, and the transmission controller transmits the data containing the connection check data to the data processor in response to registration of information concerning the equipment management apparatus newly installed [column 1 <lines 60-64> | column 13 <lines 20-28> | column 14 <lines 28-31>].

Kuroyanagi does not disclose that the data is packet data.

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16> Moeller teaches an improvement over Kuroyanagi [column 2 <lines 1-12>] whereby he teaches modifying the data sent between apparatuses in a communication system to be packet data [column 2 <lines 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include packet data in Kuroyanagi's equipment management system to allow configuration of equipment via the Internet or other electronic communication means.

17> As to claim 7, Kuroyanagi does disclose the controller waiting for reception of initial transmission data transmitted from the equipment management apparatus newly installed, and transmits connection check data [Figure 6] but does not disclose the system wherein communication between the equipment management apparatus and the central management apparatus can be made by means of a second communication system that differs from a packet data communication system, and the transmission controller determines type of system of communication with an equipment management apparatus newly installed.

18> Moeller discloses a system wherein communication between equipment management apparatus and central management apparatus can be made by two different communication systems, one being a packet data communication system [column 4 <lines 3-18>]. It would have been obvious to one of ordinary skill in the art to implement Moeller's two different communication systems (internet or modem connection) into Kuroyanagi's equipment management system to provide the controller several means of contacting the managed

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network device. One would have been motivated to do this so as to provide both a public telephone means (modem) and an electronic communication means (Internet) to increase communication capabilities of the service [column 2 <lines 55-60>].

19> As to claim 8, Kuroyanagi discloses the system according to claim 7, wherein a second communication system is a system that utilizes a public telephone circuit network [column 2 <lines 64-67>].

20> As to claim 9, Kuroyanagi does not disclose the equipment management system according to claim 1, wherein the network includes Internet.

21> Moeller discloses an equipment management system wherein the network includes Internet [column 2 <lines 1-12>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Internet communication capability into Kuroyanagi's equipment management system to increase communication functionality by allowing for configuration of network devices over electronic communication means.

22> As to claim 10, Kuroyanagi discloses the equipment management system according to claim 1, wherein equipment to be managed is an image forming apparatus for forming an image on a sheet [claim 6].

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23> As to claim 11, Kuroyanagi discloses an equipment management method for managing equipment by an equipment management apparatus for acquiring management information from the equipment and a central management apparatus for centrally managing management information making data communication via a network over which a data processor is connected [abstract | Figure 2], the central management method comprising the steps of:

the central management apparatus transmitting to the data processor in advance, data containing connection check data addressed to an equipment management apparatus newly installed [column 13 <lines 20-26>];

the equipment management apparatus acquiring from the data processor, data containing the connection check data transmitted to the apparatus itself before starting equipment management [column 12 <lines 3-41> where: copy controller is comparable to an equipment management apparatus]; and

starting equipment management, after the connection check data has been normally acquired by the equipment management apparatus [column 9 <lines 23-30>].

Kuroyanagi does not disclose that the data is packet data.

24> Moeller teaches an improvement over Kuroyanagi [column 2 <lines 1-12>] whereby he teaches modifying the data sent between apparatuses in a communication system to be packet data [column 2 <lines 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include packet data in Kuroyanagi's

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equipment management system to allow configuration of equipment via the Internet or other electronic communication means.

25> As to claim 12, Kuroyanagi discloses the equipment management method according to claim 11, wherein the data containing the connection check data further comprises initial setting information on the equipment management apparatus, and the equipment management apparatus further comprises an initial setting controller for providing initial settings relevant to the apparatus itself based on the initial setting information [column 12 <lines 21-25 and line 64> to column 13 <line 26>].

Kuroyanagi does not disclose that the data is packet data.

26> Moeller teaches an improvement over Kuroyanagi [column 2 <lines 1-12>] whereby a modification of the data sent between apparatuses in a communication system to be packet data is utilized to increase communication capability of the management system [column 2 <lines 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include packet data in Kuroyanagi's equipment management system to allow configuration of equipment via the Internet or other electronic communication means.

27> As to claim 13, Kuroyanagi discloses the equipment management method according to claim 11, further comprising the step of displaying predetermined information on a display device in response to acquisition of the connection check data by the reception controller [column 13 <lines 28-39>].

28> As to claim 14, Kuroyanagi discloses an equipment management method for managing equipment by an equipment management apparatus for acquiring management information from equipment and a central management apparatus for centrally managing management information making communication in accordance with a second communication system, the equipment management method comprising the steps of:

registering information concerning an equipment management apparatus to be newly installed at the central management apparatus [column 1 <lines 60-64> | column 13 <lines 20-28> | column 14 <lines 28-31>]; and

the central management apparatus transmitting connection check data addressed to the equipment management apparatus in response to reception of the initial transmission data from the equipment management apparatus to be newly installed [Figure 6].

Kuroyanagi does not disclose determining whether a communication system between the newly installed equipment management apparatus and the central management apparatus is a first communication system or a second communication system or in case where the communication system is the first communication system, the central management apparatus transmitting connection check data addressed to the equipment management apparatus without receiving initial transmission data from the equipment management apparatus to be newly installed.

29> Moeller discloses determining whether a communication system between the newly installed equipment management apparatus and the central management apparatus is

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a first communication system or a second communication system [Figure 1 | column 4 <lines 3-19>] and in case where the communication system is the first communication system, the central management apparatus transmitting connection check data addressed to the equipment management apparatus without receiving initial transmission data from the equipment management apparatus to be newly installed [column 3 <line 63> to column 4 <line 10> | claim 9>] It would have been obvious to one of ordinary skill in the art at the time invention was made to include Moeller's dual connection functionality (internet or telephone) to transmit configuration and installation data from the central management apparatus to the managed equipment to increase the Kuroyanagi's communication methods. One of ordinary skill in the art would have been motivated to do this to allow managed equipment to be accessible to the central management apparatus by either electronic or telephone means [column 2 <lines 1-12 and 55-60>].

30> As to claim 15, Kuroyanagi does not disclose the equipment management method according to claim 14, wherein the first communication system is a packet data communication system that utilizes Internet.

31> Moeller discloses an equipment management method wherein the first communication system is a packet data communication system that utilizes Internet. [column 2 <lines 1-12 and 55-60>]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Internet communication capability into

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Kuroyanagi's equipment management system to increase communication functionality by allowing for configuration of network devices over electronic communication means.

32> As to claim 16, Kuroyanagi discloses the method according to claim 15, wherein a second communication system is a communication system that utilizes a public telephone circuit network [column 2 <lines 64-67>].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patent is cited to further show the state of the art in regards to equipment management systems:

U.S Patent No. 5,805,441 to Yamashita;

U.S Patent No. 5,875,242 to Glaser et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864.


The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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